IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2168 OF 2005
IN
SUIT NO.1867 OF 2005

Dr.Nischal Janmajay Vaidya and Anr.. Plaintiffs

Vs.

Dr.Shraddha Milind Sakhardande .. Defendant

Mr.Jitendra Damani for the plaintiff

Mr.R.S.Tripathi a/w J.R.Vakil i/b J.R.Vakil and Associates for the defendant

CORAM : S.U.KAMDAR, J
DATED : 12TH SEPTEMBER, 2005

P.C.:

. By consent of the parties, the following order is passed:

. There shall be decree on admission as prayed. However, the said decree to be marked 'Satisfied' on payment of Rs.3,25,000/- within 2 weeks from today. In the event if the said amount is not paid within 2 weeks, plaintiffs will be entitled to executed decree in favour of the plaintiff and against the defendant for the sum of

Rs.3,25,000/- and shall carry further interest @ 18% p.a. The plaintiff who is present in the court states that the criminal prosecution pending in Borivali Court will be withdrawn by him. If such an application is made, the learned Magistrate to allow the same to withdraw. Suit disposed of accordingly. In view thereof, Summons for Judgment does not survive. The same is also dismissed as withdrawn. Refund of Court Fee as per rules.